



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY JAPAN  
UNIT 45005  
APO AP 96343-5005

APAJ-JA

20 OCT 2021

COMMAND POLICY MEMORANDUM 21-20

MEMORANDUM FOR SEE DISRIBUTION

SUBJECT: United States Army Japan (USARJ) Supplement to United States Forces Japan Liberty Order

1. **Reference.** United States Forces Japan Liberty Order for All U.S. Military Forces Located or Operating in Japan, dated 2 March 2020.<sup>1</sup> This order rescinds and replaces USARJ Command Policy Memorandum 20-01, USARJ Liberty Order Supplement for All Soldiers Located or Operating in Japan, dated 13 November 2020.

2. **General Order.**

a. Soldiers who fail to comply with the provisions of this general order are subject to discipline under Article 92 of the Uniform Code of Military Justice (UCMJ) as well as adverse administrative action authorized by applicable laws and regulations. Subordinate commanders are authorized to promulgate supplemental leave and pass policies consistent with this memorandum.

b. **Withholding Policy.** Pursuant to Manual for Courts-Martial (2019) Edition, Rules for Courts-Martial 306(a), Army Regulation 27-10, paragraph 3-4(c), dated 20 November 2020, I withhold the initial disposition of all alleged violations of this order to the first O-5 commander in the Soldier's chain of command. These commanders retain discretion to relinquish UCMJ jurisdiction to subordinate commanders in appropriate cases. A blanket delegation to subordinate commanders is not authorized. I have withheld authority from subordinate commanders to dispose of alleged offenses committed by Soldiers in the grade of E-8 and above.<sup>2</sup>

3. **Applicability.** This order applies to all Army Soldiers located in Japan, including Army Reserve personnel (when serving in a Reserve capacity) and National Guard personnel (when in a Title 10 status), and personnel in a Temporary Duty (TDY), deployed, leave or pass status. Department of Army Civilian (DAC) personnel will comply with paragraph 11(c). This order is effective upon signature and will remain in

<sup>1</sup> <https://www.usfj.mil/Liberty-Order/>

<sup>2</sup> USARJ Command Policy Memorandum 20-05, Administration of Certain Uniform Code of Military Justice (UCMJ) Matters within U.S. Army Japan, 8 July 2021.

[https://www.usarj.army.mil/Portals/33/misc/policy/CPM\\_18-09\\_201808.pdf](https://www.usarj.army.mil/Portals/33/misc/policy/CPM_18-09_201808.pdf)

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effect until modified or rescinded, pending further assessment of the operational environment in Japan.

4. **Purpose.** In order to safeguard the vital relationship we enjoy with Japan, bolster military readiness, and meet our obligations under the Treaty of Mutual Cooperation and Security, this order is issued. This policy is intended to promote good order and discipline and reinforce standards of conduct, particularly with respect to behavior off of military installations in Japan.

5. **Training Prerequisites.**

a. Before any Soldier is granted an off-installation pass,<sup>3</sup> including personnel who come to Japan in a TDY or leave status, the Soldier must have completed: (1) Sexual Harassment/Assault Response Prevention (SHARP) Training In Accordance With (IAW) AR 600-20,<sup>4</sup> (2) Responsible Drinking Training conducted IAW the COMUSJAPAN memorandum, "Responsible Drinking Training," dated 31 July 2014,<sup>5</sup> and (3) Japan Indoctrination Training (USFJI 36-2811) with an added emphasis on the Army Values.<sup>6</sup>

b. Units are required to document completion of the above training for all members, including permanent party and TDY/Temporary Assigned Duty personnel, supporting the unit.

6. **Off-Installation Public Consumption of Alcohol.** For all Soldiers, regardless of grade, the off-installation public consumption of alcohol is prohibited on all days, including holidays, between the hours of 2400 and 0500. Public consumption of alcohol is any consumption of alcohol off of a military installation, except when in an off-installation residence, quarters, or hotel room.

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<sup>3</sup> Per DoDI 1327.06 (Leave and Liberty Policy and Procedures), "pass" and "liberty" have the same meaning.

<sup>4</sup> Army policy requires SHARP training be completed annually face-to-face by a qualified instructor. For Reservists or other Servicemembers traveling to Japan, the training should be completed at home station. If it cannot be completed at home station, personnel must coordinate with the USARJ SHARP Program Manager (DSN 315-262-5506 or commercial 046-407-5506) to receive the training upon arrival in Japan.

<sup>5</sup> <https://www.usfj.mil/Portals/80/Documents/AFD-140825-010.pdf>

<sup>6</sup> [https://www.usfj.mil/Portals/80/Documents/Instructions/36-2811%20\(USFJI\).pdf](https://www.usfj.mil/Portals/80/Documents/Instructions/36-2811%20(USFJI).pdf)



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7. Pass.

a. Pass is a privilege and not a right. Passes will be taken IAW this order. Commanders are permitted to establish pass programs consistent with the parameters set forth below in order to meet or exceed operational readiness standards, and/or Anti-Terrorism and Force Protection (AT/FP) measures needed to protect the force and ensure that host nation expectations for good order and discipline are met. The following establishes parameters for authorized commanders to utilize in the execution of pass programs. "Authorized commander" is defined in Appendix A to this memorandum. A chart depicting the operational pass levels is in Appendix B.

b. Authorized commanders are directed to utilize the following Operational Levels (OPLEVEL) to describe pass:

(1) OPLEVEL 1: Pass/curfew as established in this order with no additional restrictions.

(2) OPLEVEL 2: Pass/curfew with limitations per authorized commander due to a Foreign Criminal Jurisdiction (FCJ) incident that threatens host nation basing and/or the U.S. ability to complete its operational missions, or AT/FP requirements. These limitations may or may not include restriction on the consumption of alcohol based on mission requirements.

(3) OPLEVEL 3: No Pass/Restricted Curfew. Service members are primarily restricted to place of residence (on or off base) when not performing their mission or as approved by an authorized commander. Alcohol restrictions may apply due to mission and/or AT/FP requirements. This level of restriction may be driven by an alleged FCJ incident that threatens host nation basing and/or the U.S.'s ability to complete its operational mission, or AT/FP requirements.

c. Authorized commanders may recall to duty status all members of a unit (company, squadron, battalion, or equivalent) when one of its members is involved in an allegation of off/on-installation misconduct.

(1) Authorized commanders may approve resumption of pass after review of the incident and the approval of a unit remediation plan by an O-6 commander or civilian equivalent, or higher, in their chain of command. For example, a unit remediation plan could include an analysis of contributing factors to the incident, unit training (e.g., further alcohol awareness and abuse prevention and familiarization of service core values),

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and/or increased Pass Buddy requirements. The purpose of this process is to ensure that unit members have a common understanding of requirements and to reinforce unit cohesiveness.

(2) Any unit-wide pass restriction should be of limited duration and implemented only for the purposes described above. Authorized commanders must keep the first O-6 in their chain of command informed of unit recalls and resumption of unit pass.

8. **Curfew.** Soldiers, including those who are permanently assigned, or are in a TDY, deployed, leave, or pass status in Japan, in the grade of E-5 and below are subject to curfew between the hours of 0100 and 0500.

a. By 0100 hours, Soldiers in the grade of E-5 and below will be on their assigned installation or inside their command-approved off-post residence. Soldiers in the grade of E-5 and below who remain overnight in a domicile other than assigned government quarters are required to be on an approved DA Form 31 for leave or pass. A company commander may authorize an exception to the requirement for a completed DA Form 31 and allow an alternate location if the circumstances warrant an exception and authorize the Soldier to remain: 1) in an off-post private residence; 2) a place of lodging (off-post hotel) overnight; or 3) to perform official duties (including duty-related/commute travel directly between an off-base residence and a place of duty). An O-4 or higher commander (authorized commander per Appendix A) may authorize other curfew exceptions on a case-by-case basis for specific circumstances. Grade-based blanket exceptions are not authorized.

b. Soldiers in the grade of E-5 and below are responsible for managing their time to comply with curfew requirements. Should a Soldier fail to properly plan and is, or will be, late returning to an authorized location, he/she should not attempt to drive while intoxicated. A Soldier in this situation should contact his/her chain of command for assistance, and the commander if necessary, to ask for permission to remain in an alternate approved location rather than attempt to drive while intoxicated.

9. **Pass Buddy Program.**

a. This program is especially geared to junior single Soldiers or geographically separated junior married Soldiers to aid them in acting responsibly. The Pass Buddy Program is mandated for all Soldiers in the grade of E-5 and below who are:

(1) TDY, deployed, attached, on leave, on pass, or in Japan for 179 days or less.



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(2) Assigned on Permanent Change of Station (PCS) orders or deployed to Japan for more than 180 days and planning to participate in an activity that involves the consumption of alcohol.

b. For those personnel subject to the Pass Buddy program, the following restrictions apply:

(1) From 2200 to 0500 hours, if off-installation in Japan, such personnel must be accompanied by a pass buddy. The Pass Buddy provisions do not alter the curfew provisions in paragraph 8. The Pass Buddy provisions are effective during designated non-curfew hours (2200-0100) and also during designated curfew hours (0100 to 0500) if an authorized commander previously approved a curfew waiver.

(2) Such personnel may transit unaccompanied directly between their authorized residence and a military installation, or between military installations.

(3) For such personnel who are picking up or dropping off their Pass Buddy at the Pass Buddy's authorized place of lodging/hotel, they may travel unaccompanied directly from/to their own authorized place of lodging/hotel. An "authorized place" is the home of such personnel. For those personnel who are TDY and billeted off-installation, it is their place of lodging/hotel. For those who are on leave or on pass, it is their place of lodging/hotel if not at an authorized residence. An authorized residence is any other location as previously approved by an authorized commander.

(4) A Pass Buddy may be: (a) an active duty military member; (b) another SOFA member 18 years or older (for example, a spouse, accompanied family member, or a U.S. DoD civilian employee); (c) other 18 year or older family members; or (d) another responsible individual, including a non-U.S. national, who has been approved by an authorized commander.

10. **Exceptions to the Pass Buddy Program Provisions.** Authorized commanders may grant individual event-by-event exceptions for limited durations to this Pass Buddy order for specific circumstances. Grade-based blanket exceptions are not authorized. Authorized commanders may also impose more restrictive Pass Buddy policies, as deemed lawful and necessary due to mission requirements.

11. **Other Provisions.** This order does not exempt compliance from other requirements, including host nation laws. Additionally, Soldiers are prohibited from going to "off-limits establishments" as determined by the Joint Armed Forces

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Disciplinary Control Board Process,<sup>7</sup> or other locations as determined by proper authority.

12. **Point of Contact.** Questions concerning curfew should be referred to the USARJ OSJA Chief of Military Justice at (DSN) 315-262-7233.

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<sup>7</sup> [U.S. Forces, Japan > USFJ Policy](#)

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## Appendix A

### **SUPPLEMENT DEFINITIONS:**

**Authorized Commander:** An O-4 or higher officer having command authority over the Servicemember. In cases where a Soldier is located on the islands of Hokkaido, Honshu, Shikoku, or Kyushu and does not have a co-located O-4 or higher commander, the Commander, U.S. Aviation Battalion Japan, is the authorized commander. For personnel on Okinawa who do not have an O-4 or higher commander, the Commander, U.S. Army Garrison Okinawa, is the authorized commander.

**Military Installations:** All DoD installation, bases, posts, camps, stations, and ships and their equivalent. This includes DoD-controlled facilities, such as DoD lodging or recreational facilities. Armed Forces recreation facilities such as the New Sanno Hotel, Hardy Barracks Compound, Okuma Recreation Area, and similar facilities or areas, are military installations. U.S. military personnel and their guests may remain in lounges/bars/casinos and all other areas within those installations, even during curfew hours.

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## Appendix B



# USFJ/USARJ Liberty Order Matrix



<u>Current Liberty Policy</u>		<u>Location</u>	<u>Alcohol</u>	<u>Liberty Buddy Program</u>	<u>Curfew Hours</u>	<u>Training</u>	<u>Authorized Commanders</u>
		Japan-Wide	No off-installation public consumption of alcohol (no clubs) between hours of 2400-0500	Mandated for E-5s and below (2200-0500) in Japan	E-5 and below, curfew is 0100-0500. Curfew means off the street and in private quarters, hotel or on installation	1. SHARP 2. Responsible Drinking in Japan where age to drink is 20 3. Japan Indoctrination Training	O-4 and above Cdrs have authority to grant case-by-case exceptions to curfew and Liberty Buddy
Operational Levels	OPLVL 1	No Change	No Change	No Change	No Change	No Change	No Change
	OPLVL 2	As directed by "Authorized Commander"	Alcohol purchases and consumption may be limited		Potential increased restrictions for all military personnel		
	OPLVL 3	As directed by "Authorized Commander"			No liberty off base or away from residence		